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Attorneys for Plaintiff Jeffrey I. Golden,
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re

JAMIE LYNN GALLIAN,

Debtor.

JEFFREY I. GOLDEN, Chapter 7 Trustee,

Plaintiff,

vs.

J-SANDCASTLE CO., LLC; J-PAD LLC;
STEVEN D. GALLIAN; BRIAN J.
GALLIAN; JUSTIN BARCLAY; RONALD
J. PIERPONT; ROBERT J. MCLELLAND;
AND E. J. GALLIAN,

Defendants.

Case No. 8:21-bk-11710-SC

Chapter 7

Adv. No. 8:23-ap-01064-SC

**STIPULATION FOR JUDGMENT
BETWEEN THE TRUSTEE AND
DEFENDANT ROBERT J. MCLELLAND**

STATUS CONFERENCE

Date: May 28, 2024

Time: 1:30 p.m.

Place: Courtroom 5C

411 W. Fourth Street

Santa Ana, California 92701

Plaintiff Jeffrey I. Golden, Chapter 7 Trustee (the "Plaintiff"), for the estate of
Jamie Lynn Gallian (the "Debtor"), and defendant Robert J. McLelland (the "Stipulating
Defendant"), hereby request that the Court approve the within stipulation of the parties as follows:

RECITALS

1. On July 9, 2021 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the "Bankruptcy Code").

2. Jeffrey I. Golden was appointed and continues to serve as Chapter 7 Trustee for the bankruptcy estate.

3. After the Petition Date, a number of UCC Financing Statement Amendments (UCC-3) were filed on behalf of the Stipulating Defendant with the California Secretary of State, which purported to perfect or create a lien or liens on a manufactured home located at 16222 Monterey Lane, Space #376, Huntington Beach, CA 92649, Decal # LBM1081, Serial # AC7V710394GA, AC7V710394GB (the "Property") as follows:

UCC Filing Date	UCC Type	Filing No.
9/8/2021	UCC-3 Amendment	U210083394336
9/12/2021	UCC-3 Amendment	U210084251426
9/12/2021	UCC-3 Amendment	U210084255728
9/12/2021	UCC-3 Amendment	U210084256326
9/24/2021	UCC-3 Amendment	U210088103629

4. The Stipulating Defendant is not a party to any security agreement or agreements that would grant him a security interest in or lien on the Property.

5. On June 30, 2023, the Trustee initiated an adversary proceeding by filing his complaint (the "Complaint") against the Stipulating Defendant, among others, to avoid and recover the above liens and transfers relating to the Property, among other claims for relief.

6. At the time the Complaint was filed the Stipulating Defendant was living in the Property. However, the Stipulation Defendant has now moved out of the Property, does not intend to reside there, and has no intent to reside in the Property in the future.

7. The Trustee and the Stipulating Defendant have determined to enter into this stipulation for judgment to resolve the Trustee's disputes with the Stipulating Defendant in the Complaint as follows:

STIPULATION

1. The above recitals are incorporated herein by this reference.

2. Judgment shall be entered in favor of the Trustee and against the Stipulating Defendant on the Trustee's first, second, third, fourth, fifth, sixth and seventh claims for relief in the Complaint as set forth herein.

3. The Stipulating Defendant waives any interest in the Property.

4. Any liens on the Property in favor of the Stipulating Defendant are avoided and preserved for the benefit of the Debtor's estate.

5. The following UCC Financing Statement Amendments (the "UCC Financing Statements") and any liens on the Property in favor of the Stipulating Defendant are avoided and preserved for the benefit of the Debtor's estate.

UCC Filing Date	UCC Type	Filing No.
9/8/2021	UCC-3 Amendment	U210083394336
9/12/2021	UCC-3 Amendment	U210084251426
9/12/2021	UCC-3 Amendment	U210084255728
9/12/2021	UCC-3 Amendment	U210084256326
9/12/2021	UCC-3 Amendment	U210084251729
9/24/2021	UCC-5 Amendment	U210088103427
9/24/2021	UCC-3 Amendment	U210088103629

6. Judgment shall be entered in the Trustee's favor and against the Stipulating Defendant avoiding and preserving the UCC Financing Statements and any liens on the Property in favor of the Stipulating Defendant for the benefit of the Debtor's estate.

7. The Trustee is not entitled to a judgment for money against the Stipulating Defendant.

8. The Trustee and the Stipulating Defendant shall bear their own attorney's fees and costs.

9. The Stipulating Defendant agrees to cooperate in a timely manner with the Trustee to carry out the purpose and effect of this Agreement including executing any further documents that may be required.

1 10. The Trustee is authorized to submit to the Bankruptcy Court a form of order and
2 judgment consistent with this stipulation.

3 **SO STIPULATED.**

4 DATED: January 25, 2024

DANNING, GILL, ISRAEL & KRASNOFF, LLP

By:

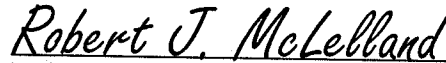


SHANTAL MALMED

Attorneys for Plaintiff Jeffrey I. Golden,
Chapter 7 Trustee

9 DATED: January 24, 2024

By:



Robert J. McLelland

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): STIPULATION FOR JUDGMENT BETWEEN THE TRUSTEE AND DEFENDANT ROBERT J. MCLELLAND will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) January 25, 2024 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) January 25, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott C. Clarkson
U.S. Bankruptcy Court
Ronald Reagan Federal Building
411 W. Fourth Street, Suite 5130
Santa Ana, CA 92701

☒ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 25, 2024
Date

Gloria Ramos
Printed Name

/s/ Gloria Ramos
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

- **Bradford Barnhardt** bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com
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- **United States Trustee (SA)** ustregion16.sa.ecf@usdoj.gov

2. SERVED BY U.S. MAIL

Defendant
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16222 Monterey Ln. Unit 376
Huntington Beach, CA 92649